

REMARKS

Claims 20-39 remain in this application. Claims 1-19 have been canceled. By these amendments, no new matter has been added.

The present invention provides a method and system that permits aggregation of fully-qualified domain names, and the licensing of subdomain names, in ways that provides substantial advantages over the prior art. For example, using the method of the invention, popular fully-qualified names such as "man.com" or "pets.com" may be made available for licensing through a single portal. Although holders of fully-qualified domains, for example, AOL, were known to offer labels such as <http://members.aol.com/yourname> for use by their members, such uses limit licensees of internet domains to a domain name selected by the host. The host name may frequently be much longer than is desired, may contain unwanted words, and is easily recognized as a mere member directory. Hence, it is not very valuable, and in fact, is usually provided for free.

The prior art does not permit a prospective licensee to conveniently shop for the most appropriate subdomain labels across a smorgasbord of available fully-qualified domain names. For example, a man named Ted Smith, who likes biking and boating and has a dog named Rover, might be willing to pay for the rights to ted.man.com, rover.dog.pets.com, ted.smith.com, ted.biker.com, and ted.boater.com. However, "man.com" "dog.pets.com" "smith.com" "biker.com" and "boater.com" are in all probability held by different parties, who typically do not offer licenses to subdomains. Even if all holders offered subdomain licenses (which is clearly not the case in the real world), it would be at best inconvenient to seek separate licenses from all of them. Consequently, Ted will be deprived of his desired domain names. The economic opportunity to fulfill Ted's desires will likewise be lost, depriving holders of fully-qualified domains of their full economic value. Even though many prospective licensees may be interested in only a single domain name, essentially the same conclusion is reached:

there is no convenient market for subdomain licenses for such domain names, and economic opportunity is therefore lost.

Likewise, the different holders of these and other fully-qualified domain names lack sufficient incentive to make subdomain labels available for licensing. The present invention overcomes this inertia by aggregating holders of disparate domain names, thereby attracting more prospective licensees. In turn, more prospective licensees attract more prospective licensors, and so on and so forth, until a robust and efficient market in subdomain labels is created.

In addition, a distinction should be made between domain names with subdomains to the right of the fully-qualified domain, separated from it by a "slash" character, and domain names with subdomain labels to the *left* of the fully-qualified name, separated by a dot. The former are instantly recognizable as mere member directories lacking a unique IP address. The latter, however, are generally reserved for use by the host of the fully-qualified domain, and may even be associated with an IP address in a zone file of a higher-level domain. Hence, domains that do not include label to the right of the fully qualified domain name are more desirable, in that they create a more favorable impression and may often be shorter. The present invention provides a method and system for creating a market for these for desirable domain names, unlike anything practiced in the prior art.

The Examiner rejected Claims 1-19 under 35 U.S.C. § 103(a) over Microsoft Press and AOL97. These rejections are respectfully traversed. Microsoft Press and AOL97, both separately, and in combination, fail to disclose or suggest

- obtaining fully-qualified domain names associated with corresponding host IP addresses in resource records of domain name servers from a plurality domain name holders;

- communicating with the domain name servers to effect reassignment of name service records for the fully-qualified domain names, whereby the fully-qualified domain names are pointed to at least one IP address of a subdomain management system;

- maintaining a database of subdomain labels for the fully-qualified

domain names, wherein each subdomain label is not associated with an IP address in a zone file of any higher-level domain, the database accessible by the subdomain management system and relating each subdomain label to a user-determinable address for content and to at least one of the fully-qualified domain names; and

providing an interface interoperable with the database to relate user-selected subdomain labels with user-selected ones of the fully-qualified domain names to provide domain names, each domain name comprising a fully-qualified domain name and at least one subdomain label to the left of the fully-qualified domain name,

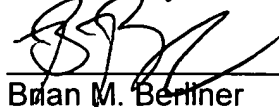
as defined by independent Claims 20 and 30. Moreover, none of the other references of record present any bar to patentability of Claims 20-39.

In view of the foregoing, the Applicants respectfully submit that Claims 20-39 are in condition for allowance. Reconsideration and withdrawal of the rejections is respectfully requested, and a timely Notice of Allowability is solicited.

To the extent it would be helpful to placing this application in condition for allowance, the Applicants encourage the Examiner to contact the undersigned counsel and conduct a telephonic interview.

To the extent necessary, Applicants petition the Commissioner for a one-month extension of time, extending to May 28, 2004, the period for response to the Office Action dated January 28, 2004. The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0639.

Respectfully submitted,



Brian M. Berliner
Attorney for Applicants
Registration No. 34,549

Date: May 28, 2004

O'MELVENY & MYERS LLP
400 South Hope Street
Los Angeles, CA 90071-2899
Telephone: (213) 430-6000